Appendix I.

(Vide item III (2) on page 227 supra.)

A Bill to re-enact certain enactments.

(As passed by the Assembly.)

Whereas the Governor of Madras, by a Proclamation made under section 93 of the Government of India Act, 1935, on the 30th day of October 1939, assumed to himself all powers vested by or under that Act in the Provincial Legislature and in either Chamber of the Provincial Legislature, subject to the provisions contained in the Proclamation; (26 Geo. 5, Ch. 2.)

And whereas in pursuance of those powers many laws have been enacted;

And whereas the said Proclamation was revoked by the Governor on the 30th day of April 1946;

And whereas sub-section (4) of the said section 93 had provided that the laws so enacted should, subject to the terms thereof, continue to have effect until two years elapsed from the date on which the Proclamation ceased to have effect, unless sooner repealed or re-enacted by Act of the appropriate Legislature;

And whereas notwithstanding the omission of section 93 from the Government of India Act, 1935, by the India (Provisional Constitution) Order, 1947, the laws aforesaid continue, by virtue of paragraph 6 of the said Order, to have effect as described in the foregoing paragraph; (26 Geo. 5, Ch. 2.)

And whereas it is expedient to re-enact with suitable modifications some of the laws aforesaid permanently and some of the other laws for a period of one year;

It is hereby enacted as follows:—

Short title and commencement.

1. (1) This Act may be called the Madras Re-enacting (No. II) Act, 1948.

(2) It shall come into force on the 29th day of April 1948:

Provided that the re-enactment of Madras Act XIX of 1942 shall be deemed to have come into force on the 31st day of March 1948.

Permanent re-enactment of certain Acts.

2. The Acts specified in the First Schedule are hereby re-enacted permanently, with the modification specified in section 5.

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3. The Acts specified in the Second Schedule are hereby re-enacted permanently, with the modification specified in setioon 5 and the further modifications specified in the fourth column of that Schedule. Permanent re-enactment of certain Acts with modifications.

4. (1) The Acts specified in the Third Schedule, with the modification specified in section 5, shall remain in force up to and inclusive of the 29th day of April 1949. Temporary re-eanctment of certain Acts.

(2) Upon the expiry of the Acts specified in sub-section (1)—

Madras Act I of 1891.

(*a*) section 8 of the Madras General Clauses Act, 1891, shall apply as if the Acts so specified had then been repealed by a Madras Act;

(*b*) save as provided in clause (*a*), the Acts, if any, amended by the Acts so specified shall have operation as if the latter Acts had never been enacted.

5. In the preamble to each of the Acts specified in the Schedules, for the paragraph containing the enacting formula and the paragraph preceding that paragraph, the following words shall be substituted, namely :— Modification of preambles to certain Acts.

"It is hereby enacted as follows :—"

6. The re-enactment of any Act by section 2, 3 or 4 (1) of this Act shall not be deemed to affect the operation of any amendment made in the Act so re-enacted or in any enactment amended by Act, on or after the 30th day of April 1946 and before the commencement of this Act. Re-enactments not to affect operation of certain amending Acts passed before this Act.

THE FIRST SCHEDULE.

Acts permanently re-enacted.

(*See* section 2.)

Year.	*Number.*	*Short title.*
(1)	(2)	(3)
1940	I	The Madras Local Boards (Amendment) Act, 1940.
1940	VI	The Madras Irrigation Cess (Amendment) Act, 1940, as amended by Madras Act III of 1945.
1940	XVII	The Andhra University (Amendment) Act, 1940.
1940	XVIII	The Madras Village Courts (Amendment) Act, 1940.
1941	VI	The Factories (Madras Amendment) Act, 1941.
1941	X	The Madras District Municipalities (Amendment) Act, 1941.

Year.	*Number.*	*Short title.*
(1)	(2)	(3)
1941	XII	The Madras District Municipalities and Local Boards (Amendment) Act, 1941.
1941	XXII	The Madras City Police (Second Amendment) Act, 1941.
1942	III	The Madras University (Amendment) Act, 1942.
1942	VII	The Madras District Municipalities (Second Amendment) Act, 1942.
1942	XIII	The Madras Irrigation (Voluntary Cess) Act, 1942.
1942	XXXIII	The Madras University (Fifth Amendment) Act, 1942.
1943	XVI	The Madras Stamp (Increase of Duties) Act, 1943.
1943	XXVII	The Madras University (Amendment) Act, 1943.
1944	IX	The Madras Regulation of the Sale of Cloth (Repeal) Act, 1944.
1944	XI	The Andhra University (Amendment) Act, 1944.
1944	XVI	The Andhra University (Third Amendment) Act, 1944.
1944	XIX	The Madras District Municipalities (Second Amendment) Act, 1944.
1945	II	The Madras Estates Land (Amendment) Act, 1945.
1945	III	The Madras Irrigation Cess (Amendment) Act, 1945.
1945	XIV	The Madras Estates Land (Second Amendment) Act, 1945.
1946	IV	The Madras Gaming (Amendment) Act, 1946.

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THE SECOND SCHEDULE.

Acts permanently re-enacted with specified modifications.

(*See* section 3.)

Year.	*Number.*	*Short title.*	*Modifications.*
(1)	(2)	(3)	(4)
1940	XI	The Mettur Township Act, 1940.	In section 3, for sub-section (1), the following sub-section shall be substituted, namely :— “(1) The Township Committee shall consist of nine members who shall be appointed by the Provincial Government

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Year.	Number.	Short title.	Modifications.
(1)	(2)	(3)	(4)
1940—*cont.*	XI—*cont.*	The Mettur Township Act, 1940—*cont.*	or by an authority or officer empowered by them in this behalf. Of the nine members not lees than four shall be non-officials of whom one shall be a representative of industrial interests in the township and two of labour interests therein."
1940	XV	The Madras Livestock Improvement Act, 1940.	1. In section 2, clause (*c*), for the words " Director of Veterinary Services ", the words " Director of Animal Husbandry " shall be substituted. 2. In section 10, clause (*a*), for the words " officer of the Veterinary Department not below the rank of Veterinary Assistant Surgeon ", the words " officer of the Animal Husbandry Department not below the rank of Assistant Surgeon " shall be substituted. 3. In section 14, for the word " Veterinary ", the words " Animal Husbandry " shall be substituted. 4. Section 21 shall be omitted.
1941	I	The Madras Hackney Carriage (Amendment) Act, 1941.	For the further proviso added by section 2, the following proviso shall be substituted, namely :— " Provided further that the Commissioner shall have power— (i) to limit the number of vehicles of any description which may be registered annually, in which case no vehicle of that description shall be registered in any year in excess of the number so limited ; (ii) to refuse to register vehicles of a particular description, in which case no vehicle of that description shall be registered."

	Year.	Number.	Short title.	Modifications.
	(1)	(2)	(3)	(4)
	1941	II	The Madras State Aid to Industries (Amendment) Act, 1941.	For the words "Board of Revenue" wherever they occur, the words "Director of Industries", and for the words "granted by the Board" the words "granted by the Director", shall be substituted.
	1942	XIX	The Andhra University (Temporary Amendment) Act, 1942.	1. In the long title, for the word "temporarily", the word "further" shall be substituted. 2. For the first four paragraphs of the preamble, the following paragraph shall be substituted, namely :— "WHEREAS it is expedient further to amend the Andhra University Act, 1925, for the purpose hereinafter appearing ;". (Madras Act II of 1926.) 3. In section 1, sub-section (1), for the words "Temporary Amendment", the words "First Amendment" shall be substituted. 4. In the same section, in sub-section (2), the words "and shall be in force until the termination of the present hostilities and for two years thereafter" shall be omitted. 5. For section 2, the following section shall be substituted, namely :— "2. In the Andhra University Act, 1925, sub-section (3) of section 6 shall be omitted."
Repeal of section 6 (3), Madras Act II of 1926. Substitution of new Chapter for Chapter X, Madras Act II of 1926. Power to remove difficulties.	1942	XXXII	The Andhra University (Second Amendment) Act, 1942.	Sections 26 and 27 and the heading thereto shall be omitted, section 25 shall be renumbered as section 26, and for section 24, the following sections shall be substituted, namely :— "24. For Chapter X of the said Act, the following Chapter shall be substituted, namely :— '*Chapter X—Miscellaneous,* 44. If any difficulty arises as to the constitution or reconstitution of the Senate,

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Year. (1)	*Number.* (2)	*Short title.* (3)	*Modifications.* (4)	
1942—*cont.*	XXXII—*cont.*	The Andhra University (Second Amendment) Act, 1942—*cont.*	the Syndicate, the Finance Committee or the Academic Council, or otherwise in giving effect to the provisions of this Act, the Provincial Government, as occasion may require, may, by order, do anything which appears to them necessary for the purpose of removing the difficulty.'	
			25. The Schedule to the said Act shall be omitted."	Repeal of the Schedule, Madras Act II of 1926.
1943	XVIII	The Madras Irrigation Works (Repairs, Improvement and Construction) Act, 1943, as amended by Madras Act IV of 1945.	1. In the preamble, the words "for the purpose of maintaining and increasing the production of food in the present emergency in the Province of Madras" shall be omitted. 2. In section 2, the words "in order to maintain or increase the production of food in the Province" shall be omitted.	
1943	XXI	The Madras Proprietary Estates' Village Service and Hereditary Village-offices (Amendment) Act, 1943.	1. Sub-section (2) of section 2 shall be omitted and sub-section (1) of that section shall be renumbered as section 2. 2. In section 2 as so renumbered, in the opening paragraph, for the words, brackets and figure "renders war service as defined in sub-section (2)", the words "has rendered war service", and for the words "has attained or attains majority", the words "attained majority" shall be substituted. 3. In the same section, in the Explanation added by paragraph (*b*), for the words, figures and brackets "as in sub-section (2) of section 2 of the Madras Proprietary Estates' Village Service and Hereditary Village-offices (Amendment) Act, 1943", the words, figures and brackets	

Year. (1)	Number. (2)	Short title. (3)	Modifications. (4)
1943—*cont.*	XXI—*cont.*	The Madras Proprietary Estates' Village Service and Hereditary Village-offices (Amendment) Act, 1943—*cont.*	"as in the Madras Civil Services (War Service Personnel) Recruitment Rules, 1941, as in force for the time being" shall be substituted.
1943	XXVI	The Andhra University (Second Amendment) Act, 1943.	In section 1, for sub-section (2), the following sub-section shall be substituted, namely :— "(2) This section shall come into force at once and section 2 on the 15th February 1944."
1944	I	The Madras Estates Land (Temporary Amendment) Act, 1944.	1. In the preamble, the words "in the present emergency" shall be omitted. 2. In section 2 in the opening paragraph, the words "at any time during the continuance of the present war or within a period of one year from the termination thereof," shall be omitted.
1944	XV	The Andhra University (Second Amendment) Act, 1944.	1. In section 3 (which alters the constitution of the Syndicate of the University), for the words "five persons nominated by the Chancellor of whom two shall be persons recommended by the Maharaja Saheb of Jeypore", the words "five persons nominated by the Chancellor of whom one shall be a person recommended by the Maharaja Saheb of Jeypore", and for the words "two persons shall be nominated on the recommendation of the Maharaja Saheb" occurring in the proviso, the words "a person shall be so nominated on the recommendation of the Maharaja Saheb" shall be substituted. 2. In section 4 (which alters the constitution of the Finance Committee of the

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Year. (1)	*Number.* (2)	*Short title.* (3)	*Modifications.* (4)
1944—*cont.*	XV—*cont.*	The Andhra University (Second Amendment) Act, 1944—*cont.*	University), for the words "a member nominated to the Syndicate on the recommendation of the Maharaja Saheb of Jeypore", the words "the member nominated to the Syndicate on the recommendation of the Maharaja Saheb of Jeypore" shall be substituted. 3. After section 4, the following section shall be added, namely :— "5. Notwithstanding anything contained in the said Act, the term of office of the members of the Syndicate and of the member of the Finance Committee who were nominated to those bodies by the Chancellor on the recommendation of the Maharaja Saheb of Jeypore or his successors and who may be holding office on the date on which the Madras Re-enacting (No. II) Act, 1948, comes into force shall expire on that date ; and in their places, the Chancellor shall nominate one person to be a member of the Syndicate of the University on the recommendation of the Maharaja Saheb of Jeypore or his successors, in accordance with the provisions of section 18 of the said Act as amended by this Act, such person being also nominated to be a member of the Finance Committee of the University, in accordance with the provisions of section 19-A of the said Act as so amended. The person so nominated shall, subject to the provisions of the said Act, hold office as a member of the Syndicate and of the Finance Committee until the next reconstitution of those bodies."

Term of office of member nominated to the Syndicate and Finance Committee on the recommendation of the Maharaja Saheb of Jeypore.

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Year. (1)	*Number.* (2)	*Short title.* (3)	*Modifications.* (4)
1945	XIX	The Madras Registration of Births and Deaths (Amendment) Act, 1945.	Sections 5 to 11 shall be renumbered as sections 6 to 12 respectively, and the following shall be inserted, as section 5, namely :— " 5. After section 5 of the said Act, the following section shall be inserted, namely :— **Insertion of new section 5-A in Madras Act II of 1899. Owners of plantations to bear cost of appointment of registrars.** ' 5-A. (1) If any person in the service of the Provincial Government is appointed to be registrar for any plantation or ward thereof, the Collector shall determine every year the cost of such appointment to the Government during the previous year ; such cost shall include the salary, allowances and travelling allowances of the registrar, contributions, if any, to his provident fund, contributions necessary to meet his leave allowances and pension ; and the contingent and other expenditure incurred by him in performing his functions under this Act and the rules made thereunder in respect of the plantation or ward. (2) The Collector may, by order, direct that the whole of the cost as determined under sub-section (1) for the plantation or for all the wards therein, as the case may be, or such part of the cost as the Collector may think fit, shall be paid by the owner

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Year. (1)	*Number.* (2)	*Short title.* (3)	*Modifications.* (4)
1945—*cont.*	XIX—*cont.*	The Madras Registration of Births and Deaths (Amendment) Act, 1945—*cont.*	of the plantation before a date which shall be specified in the order. (3) Any sum ordered to be so paid shall be a charge on the plantation and may be recovered from the owner thereof for the time being, as if it were an arrear of land revenue.' "

THE THIRD SCHEDULE.

Acts temporarily re-enacted for a period of one year.

[*See* section 4 (1).]

Year. (1)	*Number.* (2)	*Short title.* (3)
1941	XVIII	The Madras Proprietary Estates' Village Service and Hereditary Village-offices (Amendment) Act, 1941.
1941	XIX	The Madras Public Health (Amendment) Act, 1941.
1942	I	The Madras District Municipalities (Amendment) Act, 1942.
1942	XXVIII	The Madras Hereditary Village-offices (Amendment) Act, 1942.
1944	V	The Madras Hindu Religious Endowments (Amendment) Act, 1944, as amended by Madras Act X of 1946.
1944	XIII	The Tirumalai-Tirupati Devasthanams (Amendment) Act, 1944.
1946	X	The Madras Hindu Religious Endowments (Amendment) Act, 1946.